

## **TITLE 312 NATURAL RESOURCES COMMISSION**

### **Proposed Rule LSA Document #08- DIGEST**

Adds 312 IAC 8-2-4.5 to require a license from a property manager before the placement of a fish attractor on a DNR property. Establishes standards for license review. Effective 30 days after filing with the Publisher.

#### **312 IAC 8-2-4.5**

**Sec. 4.5. (a) A person must obtain a license from a property manager, under this section, before constructing or placing a fish attractor within a waterway located on a DNR property.**

**(b) To qualify for a license, a fish attractor must be each of the following:**

**(1) Anchored to ensure proper settling.**

**(2) Not placed:**

**(A) in a channel;**

**(B) in a beach area; or**

**(C) near the waterway surface nor in an area that would adversely affect public safety and navigation as determined by the division of law enforcement.**

**(3) Constructed of materials approved by the department and applying methods to ensure safe placement.**

**(4) Placed under the supervision of the division of fish and wildlife.**

**(c) The license holder must promptly remove from the waterway any portion or portions of the fish attractor that become unattached from the licensed structure. This responsibility is a condition of a license.**

**(d) As used in this section, "fish attractor" means a structure or structures providing an artificial reef or similar habitat and which is or is intended to be beneficial to fish populations. (*Natural Resources Commission; 312 IAC 8-2-4.5*)**